

NEBRASKA REPUBLICAN PARTY
Mark Fahleson, Chairman

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FEDERAL ELECTION
COMMISSION

2009 AUG 25 AM 10: 08

OFFICE OF GENERAL
COUNSEL

August 6, 2009

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

MUR # 6210

To Whom It May Concern:

Please accept this letter as an official complaint against Tom White's alleged Exploratory Committee. There is reason to believe Tom White has violated Federal Election Law and cited below is evidence for these violations. He is not testing the waters and is clearly a candidate and should thus follow all applicable laws and rules as such.

Tom White has organized an exploratory committee and created a website that can be found here: <http://tomwhite2010.com/>. On every page of the website, it clearly states "Paid for by Tom White for Congress".

Federal Election rules state:

The name of the committee, and statements by committee staff, must not refer to the individual as a candidate. For example, an exploratory committee could not be called "Sam Jones for Congress," which would indicate that Jones had already decided to run for federal office. Instead, the committee could be called "Sam Jones Congressional Exploratory Committee."

The repeated improper use of "Tom White for Congress" is in clear violation of the rules transcribed above.

Furthermore, the nature of Tom White's web site seems to be yet another violation of the FEC rules that state:

Certain activities, however, indicate that the individual has decided to become a candidate and is no longer testing the waters. Campaigning (as opposed to testing the waters) is apparent, for example, when individuals:

- *Make or authorize statements that refer to themselves as candidates ("Smith in 2010" or "Smith for Senate");*
- *Use general public political advertising to publicize their intention to campaign.*

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Tom White's web address alone <http://tomwhite2010.com/> is evidence that he is advocating his candidacy.

Tom White has asked visitors to his website to pledge their vote to him and "to help elect Tom White to Congress". These certainly qualify as activities that indicate he is no longer testing the waters but is in fact campaigning.

The website is covered with the statement "Tom White for Congress" and "Tom White 2010", clearly referring to White as a candidate.

Finally, the webpage is accessible to the general public, is an obvious political advertisement, and asks for visitors on his home page to "Support the Campaign". Tom White has crossed the threshold from exploratory committee into full-blown candidacy. He is long past "testing the waters". He should be properly penalized for these violations and provide the required transparency to the public.

Attached are print-offs from Tom White's website, the proof of his violations. His contact address is:

Tom White for Congress
PO Box 241555
Omaha, NE 68124-1555

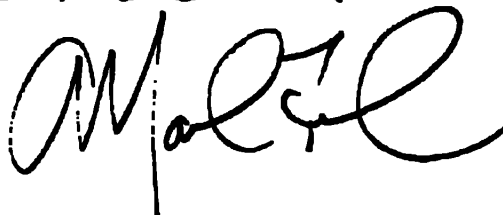
I, Perre S. Neilan, hereby file this complaint and sign this letter under penalty of perjury.



Perre S. Neilan
Executive Director



THIS DOCUMENT WAS SIGNED
AND SWORN TO BY PERRE S. NEILAN
ON THIS 6TH DAY OF AUGUST, 2009



10044263499



Tom White for Congress

EXPLORATORY COMMITTEE

Join Tom Online

Support the Campaign

Skip signup and go to TomWhite2010.com →

Paid for by Tom White for Congress

10044263500



Tom White for Congress

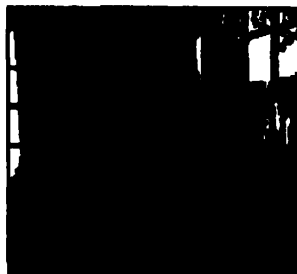
EXPLORATORY COMMITTEE

About Tom

About Tom White

Tom White represents the Omaha neighborhoods of Benson and Dundee in the Nebraska Legislature. A lifelong Nebraskan, Tom and his wife Barb have lived in the same part of Omaha since purchasing their first home over twenty years ago. They have two teenage children: a son, Logan, and a daughter, Reilly. Tom and Barb are members of St. Cecilia's Catholic Church.

Working his way through school by doing construction and warehouse work, Tom graduated from Regis University in 1979 and Creighton School of Law in 1983. Currently a partner with the firm White Wulff & Jorgensen, Tom's legal career has focused on representing working people in issues such as workplace discrimination and civil rights, as well as commercial contract work.



Tom White with his wife Barb and children Reilly and Logan.

A Record of Results for Nebraska's Middle Class

Tom was elected to the Legislature in 2006. He has focused on working with members of both parties for middle class tax relief, job creation, and improving government efficiency and transparency. He has also fought for more state aid for metro-area schools.

As a state Senator, Tom has a proven record of standing up for taxpayers. He only supports balanced budgets that do not contain tax increases. In 2009, he introduced and passed the Taxpayer Transparency Act, which requires the development of a publicly-accessible, nonpolitical website to track all state spending. This essentially puts Nebraska's checkbook online, and will help cut down on wasteful government spending.

He has used his position on the influential Revenue Committee to advocate simplifying the tax code to help Nebraska families, entrepreneurs, and small businesses. He helped repeal the marriage penalty in the state income tax and passed legislation to more than double the tax credit for research and development. He has also worked to reform Nebraska's property tax system to help homeowners.

Tom has a record of finding ways to increase access to affordable healthcare at the state level. In addition to supporting an increase in SCHIP, he introduced and passed a bill to allow so-somethings to stay on their parents' health insurance plans.

He has also been an advocate for the families of military personnel, introducing and passing the Military Family Leave Act in 2017.

Tom currently serves on the Legislature's Executive Board and the Business and Labor, Revenue, Rules and Urban Affairs Committees.

Paid for by Tom White for Congress

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Tom White for Congress

EXPLORATORY COMMITTEE

Contact Tom

Contact Tom

Use this form to contact Tom. You can also send him mail at:

Tom White for Congress
PO Box 241555
Omaha, NE 68124-1555

First Name: *

Last Name: *

Email: *

Phone Number:

Questions/Comments: *

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Tom White for Congress

EXPLORATORY COMMITTEE

Contact Tom

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Use this form to contact Tom. You can also send him mail at:

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PO Box 341555
Omaha, NE 68124-1555

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Email: *

Phone Number:

Questions/Comments: *

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Tom White for Congress

WWW.TOMWHITE2010.COM

Please contribute today to help elect Tom White to Congress. When you do, please consider signing up for a recurring monthly contribution to keep our campaign moving forward to victory.

* Required Fields

Personal Information

First Name *

Last Name *

Address *

City *

State * Zip *
NE

Email *

Home Phone *

Cell Phone

☒ Sign me up for email updates.

Employment Information

Employer *

Occupation *

To comply with Federal law, contributors are required to provide their employment information. If you are retired, please enter N/A under Employer and Retired under Occupation. If a homemaker, please enter N/A - Homemaker; if self-employed, please enter "Self-Employed" under Employer and describe your line of work under Occupation.

Contribution Information

☒ One-time Contribution ☐ Recurring Contribution

Amount *

☐ \$10 ☐ \$25 ☐ \$50 ☐ \$100
☐ \$250 ☐ \$1000 ☐ \$2400 ☒ Other \$

Payment Information

Card Number *



Card Expiration *

07 09

Confirm Eligibility

☐ I confirm that the following statements are true and accurate:

- I am not a foreign national who lacks permanent residence in the United States.
- I am not a Federal government contractor.
- This contribution is made from my own funds, and not those of another.
- This contribution is not made from the funds of a corporation or labor organization.
- This contribution is made on a personal credit card or debit card for which I have the legal obligation to pay, and is not made either on a corporate or business entity card or on the card of another person.
- I am at least eighteen years old.

Contributions or gifts to Tom White for Congress are not tax deductible.

Federal law requires us to use our best efforts to collect and report the name, address, occupation and name of employer of individuals whose contributions exceed \$200 per election cycle.

Contributions are limited to \$2400 per individual per election. The primary and general elections are separate elections, so individuals may give up to a total of \$4800 for both elections.



10044263504

MIKE FAHEY

Omaha, Nebraska 68114

July 31, 2009

I am hosting a luncheon to support State Senator Tom White's campaign for Congress. Please join me on August 27th from 11:30 a.m. to 1:00 p.m. at my home, located at _____, Omaha.

Tom was elected to the Legislature in 2006. He quickly established himself as a common-sense fiscal centrist, and has an impressive record of legislative achievement. He has used his position on the Legislature's Revenue Committee to advocate for simplifying the tax code to help Nebraska families, entrepreneurs, and small businesses. He helped repeal the marriage penalty in the state income tax and passed legislation to more than double the tax credit for research and development. For more information about Tom, please visit www.TomWhite2010.com.

Tom's campaign has already received significant attention from local and national press and pundits. The D.C. newspaper *Roll Call* dubbed him a "top recruit," and the nonpartisan Cook Political Report recently rated the race one step away from a toss-up. The race is already drawing attention from both national parties.

I am supporting Tom White because he is an independent leader with a record of results. I hope you'll join me by making a contribution of at least \$1,000. Please make your check payable to Tom White for Congress and return it in the enclosed envelope by August 21st.

Thank you again for your support, and I hope to see you on August 27th.

Best personal regards,



Mike Fahey

Contributions are not tax deductible as charitable contributions for federal income tax purposes. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year. Federal law limits individual contributions to \$2400 per election with the primary and general election each considered separate federal elections. Contributions from foreign nationals, federal government contractors, and the general treasury funds of a corporation, labor organization or national bank are prohibited.

Paid for by Tom White for Congress

10044263505

CREDIT CARD CONTRIBUTIONS

Credit Card: ☐ VISA ☐ MasterCard ☐ American Express ☐ Discover
Card Number: _____ Amount: \$ _____ Expiration Date: _____
I would like to make this contribution: ☐ Once ☐ Each month for the next _____ months
Cardholder Name: _____
Signature: _____

If you are paying by credit card, you may donate online at www.TomWhite2010.com/contribute.

 Paid for by Tom White for Congress

10044263507

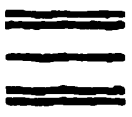
Tom White for Congress

Name: Prefix _____ First _____ Middle Initial _____ Last _____
Address: _____ City: _____ State: _____ Zip: _____
Email: _____ Phone: _____ Fax: _____
Employer: _____ Occupation: _____ (Required) _____ (Required)

This contribution is made by check or credit card from personal funds and is not drawn on an account maintained by an incorporated entity. I am a U.S. citizen or permanent resident and this contribution will not be reimbursed by another person.

SIGNATURE _____

Please make checks payable to **White for Congress • PO Box 241555 • Omaha, NE 68124-1555 • TomWhite2010.com**
Contributions are not tax deductible as charitable contributions for federal income tax purposes. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year. Federal law limits individual contributions to \$2400 per election with the primary and general election each considered separate federal elections. Contributions from foreign nationals, federal government contractors, and the general treasury funds of a corporation, labor organization or national bank are prohibited.



PLACE
STAMP
HERE

Paid for by Tom White for Congress

Tom White for Congress
PO Box 241555
Omaha, NE 68124-1555

